

STATE OF TENNESSEE

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Reply to:
Consumer Advocate and Protection Division

February 27, 2004

The Honorable Deborah Taylor Tate
Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

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T.R.A. DOCKET ROOM

RE: IN RE: GENERIC DOCKET ADDRESSING RURAL UNIVERSAL SERVICE
Docket No.: 00-00523

Dear Chairman Tate:

Enclosed is an original and fourteen copies of the Brief of the Consumer Advocate & Protection Division in Response to the Order on February 17, 2004 Telephonic Status Conference. We request that these documents be filed with the TRA in this docket. Additionally, all parties of record have been served copies of these documents. If you have any questions, please feel free to contact me at (615) 532-3382. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Shilina B. Chatterjee".

Shilina B. Chatterjee
Assistant Attorney General

Enclosure

73162

**IN THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

**IN RE: GENERIC DOCKET)
 ADDRESSING RURAL) DOCKET NO. 00-00523
 UNIVERSAL SERVICE)**

**BRIEF OF THE CONSUMER ADVOCATE & PROTECTION DIVISION OF THE
OFFICE OF THE ATTORNEY GENERAL IN RESPONSE TO THE ORDER ON
FEBRUARY 17, 2004 TELEPHONIC STATUS CONFERENCE**

The Attorney General of the State of Tennessee, by and through the Consumer Advocate and Protection Division of the Office of the Attorney General and Reporter ("Consumer Advocate"), submits this brief in response to the *Order on February 17, 2004 Telephonic Status Conference* issued by Director Ron Jones, acting as Hearing Officer.

The Consumer Advocate supports the *Petition for Emergency Relief and Request for Standstill Order By the Tennessee Rural Independent Coalition*. The Consumer Advocate favors the TRA granting such petition in favor of the Tennessee Rural Independent Coalition.

The Consumer Advocate objects to the relief sought by BellSouth in their counterclaim and urges the TRA to deny BellSouth's motion. Furthermore, it is essential that the TRA adjudicate this matter to ensure that there is not a disproportionate burden on the rural providers and their ability to provide telecommunications service is not adversely effected. Additionally, it is imperative that the TRA consider all factors including the mandate concerning universal service. Therefore, the Consumer Advocate does not support BellSouth's counterclaim.



Although a long term solution between wireless providers and rural coalition companies should be sought, BellSouth should not be allowed at this time to sever itself from long standing obligations.

The Consumer Advocate reiterates its position as stated in its *Reply Brief of Attorney General in Response to BellSouth's Motion for Reconsideration or, in the Alternative, Clarification of the Initial Order of Hearing Officer for the Purpose of Addressing Legal Issues 2 and 3 Identified in the Report and Recommendation of the Pre-Hearing Officer Filed on November 8, 2000* as filed on August 19, 2002.

CONCLUSION

For the foregoing reasons, the Attorney General of the State of Tennessee respectfully requests that TRA (1) grant the *Petition for Emergency Relief and Request for Standstill Order By the Tennessee Rural Independent Coalition*; (2) deny BellSouth's counterclaim; and (3) deny BellSouth's *Motion for Reconsideration or, in the Alternative, Clarification of the Initial Order of Hearing Officer for the Purpose of Addressing Legal Issues 2 and 3 Identified in the Report and Recommendation of the Pre-Hearing Officer Filed on November 8, 2000*.

Respectfully submitted,


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DATED: February 27, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on parties below via U.S. Mail, postage prepaid, this February 27, 2004

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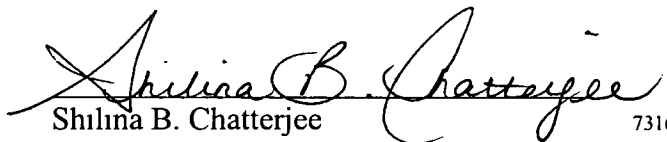
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